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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,875	09/16/2003	Shi-Lung Lin	89188.0050	3099
26021	7590	12/20/2006	EXAMINER	
HOGAN & HARTSON L.L.P. 1999 AVENUE OF THE STARS SUITE 1400 LOS ANGELES, CA 90067			GIBBS, TERRA C	
			ART UNIT	PAPER NUMBER
			1635	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
30 DAYS		12/20/2006	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10/663,875	9/16/03	Lin et al.	89188-0050
		EXAMINER	
		Terra C. Gibbs	
ART UNIT	PAPER		
1635		12152006	

DATE MAILED:

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Commissioner for Patents

Notice of Non-Responsive Amendment

The reply filed on October 12, 2006 is not fully responsive to the prior Office Action mailed July 12, 2006 because of the following omission(s) or matter(s): The reply filed on October 12, 2006 is a response to a Restriction Requirement mailed July 12, 2006. In response to the Restriction Requirement, Applicants elected:

SEQ ID NO:2 from claim 2, 5'-AGGUAGU-3' from claim 4, 5'-CCACAGC-3' from claim 5, 5'-UACUAAC-3' from claim 6, and SEQ ID NO:3 from claim 8

It is noted that the previous Restriction Requirement mailed July 12, 2006, required Applicants to elect one (1) poly-pyrimidine tract site, one (1) splice donor site, one (1) splice acceptor site and one (1) branch site sequence from claims 2, 4-6, and 8 (see the previous Restriction Requirement mailed July 12, 2006 at page 17). However, in Applicant's reply filed October 12, 2006, Applicants have elected two (2) poly-pyrimidine tract sites, one from claim 2 and one from claim 8. It is noted that this response is considered non-responsive because the previous Restriction Requirement mailed July 12, 2006 made very clear that Applicants should elect (1) poly-pyrimidine tract site, (1) splice donor site, (1) splice acceptor site, and (1) branch site sequence from claims 2, 4-6, and 8.

In summary and in reiteration, Applicants are required to pick one (1) poly-pyrimidine tract, one (1) splice donor site, one (1) splice acceptor site and one (1) branch site sequence from claims 2, 4-6, and 8.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(I).

Since the reply filed on October 12, 2006 appears to be bona fide, Applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to submit an amendment in compliance with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).